

The Gazette of India

EXTRAORDINARY

PART I—Section 1

PUBLISHED BY AUTHORITY

No. 177] NEW DELHI, FRIDAY, OCTOBER 15, 1954

LOK SABHA

NOTIFICATION

New Delhi, the 15th October 1954

No. 546-CI/54.—In exercise of the powers conferred by clause (2) of Article 118 of the Constitution of India, the Speaker of the Lok Sabha hereby makes the following further amendments in the Rules of Procedure and Conduct of Business in the Lok Sabha, published under Notifications No. 113-C/52, dated the 17th April, 1952; No. 136-C/52, dated the 14th July, 1952; No. 290-C/53, dated the 19th May, 1953; No. 290-C/53, dated the 3rd October, 1953 and No. 404-C/54, dated the 9th January, 1954 in the *Gazette of India Extraordinary*, Part I, Section 1, of the 17th April and the 16th July, 1952 and 30th May and the 3rd October, 1953, and 13th January, 1954; and Notification No. 404-C/54, dated the 31st January, 1954 published in the *Gazette of India*, Part I, Section 1, dated the 6th March, 1954, namely:—

Amendments

1. **Rule 2.**—In rule 2, the following definitions shall be inserted in alphabetical order, namely:—

- (i) “‘Bulletin’ means the Bulletin of the House containing (a) a brief record of the proceedings of the House at each of its sittings; and (b) information on any matter relating to or connected with the business of the House or other matter which in the opinion of the Speaker may be included therein.”

(ii) "Table" means the Table of the House".

2. *Rule 32.*—In sub-rule (3) of rule 32, and wherever it occurs in these rules, for the word 'meeting' the word 'sitting' shall be substituted.

3. *Rule 36.*—In rule 36, and wherever they occur in these rules, for the words "Parliamentary Bulletin" the word "Bulletin" shall be substituted.

4. *Rule 60.*—Clause (xvii) of sub-rule (2) of rule 60, shall be omitted and the subsequent clauses shall be re-numbered accordingly.

5. *Rule 88A.*—After rule 88 the following rule shall be inserted, namely:—

"Statement
in connection
with Ord-
nances.

88A. (1) Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House, there shall be placed before the House along with the Bill a statement explaining the circumstances which necessitated immediate legislation by Ordinance.

(2) Whenever an Ordinance, which embodies wholly or partly or with modification the provisions of a Bill pending before the House, is promulgated a statement explaining the circumstances which necessitated immediate legislation by Ordinance shall be laid on the Table at the commencement of the session following the promulgation of the Ordinance."

6. *Rule 92.*—In clause (b) of sub-rule (2) of rule 92, after the words "any member may move as an amendment" the following words shall be inserted, namely:—

"that the Bill be referred to a Joint Committee of the Houses with the concurrence of the Council or a Select Committee, as the case may be, or".

7. *Rule 143.*—In rule 143, the following shall be added at the end, namely:—

"and a message to that effect shall be sent to the Council."

8. *Rule 144.*—In rule 144, the following shall be added at the end, namely:—

"and a message to that effect shall be sent to the Council."

9. *Rule 148.*—In sub-rule (2) of rule 148, after the words "passed by the House" the following shall be added, namely:—

"or the Bill is withdrawn under rule 146".

10. *Rule 192.*—For rule 192, the following rule shall be substituted, namely:—

“192. The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.”

Speaker to decide admissibility of a resolution.

11. *Rule 205.*—For rule 205, the following rule shall be substituted, namely:—

“205. The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.”

Speaker to decide admissibility of a motion.

12. *Rules 227A to 227C.*—After rule 227, the following rules shall be inserted, namely:—

“227A. A motion may be moved to reduce the amount of a demand in any of the following ways:— Cut Motions.

- (a) “that the demand be reduced to Re. 1/-” as representing disapproval of the policy underlying the demand. Such a motion shall be known as “Disapproval of policy Cut”. A member giving notice of such a motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy;
- (b) “that the amount of the demand be reduced by a specified amount” representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as “Economy Cut”. The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected;
- (c) “that the amount of the demand be reduced by Rs. 100/-” in order to ventilate a specific grievance, which is within the sphere of the responsibility of the Government of India. Such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

Conditions of admissibility of cut motions. 227B. In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely:—

- (i) it shall relate to one demand only;
- (ii) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (iii) it shall be confined to one specific matter which shall be stated in precise terms;
- (iv) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (v) it shall not make suggestions for the amendment or repeal of existing laws;
- (vi) it shall not refer to a matter which is not primarily the concern of the Government of India;
- (vii) it shall not relate to expenditure charged on the Consolidated Fund of India;
- (viii) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (ix) it shall not raise a question of privilege;
- (x) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;
- (xi) it shall not anticipate a matter which has been previously appointed for consideration in the same session;
- (xii) it shall not ordinarily seek to raise a discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of Enquiry appointed to enquire into or investigate any matter:

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of the subject matter by the Tribunal or Commission or Court of Enquiry; and

- (xiii) it shall not relate to a trifling matter.

227C. The Speaker shall decide whether a cut motion is or is not admissible under these rules and may disallow any cut motion when in his opinion it is an abuse of the right of moving cut motions or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules."

Speaker to decide admissibility of cut motions.

13. Rule 238.—After sub-rule (12) of rule 238, the following sub-rule shall be inserted, namely:—

"(13) The Committee may with the approval of the Speaker make detailed rules of procedure to supplement the provisions contained in these rules."

14. Rule 239.—After sub-rule (14) of rule 239, the following sub-rule shall be inserted, namely:—

"(15) The Committee may with the approval of the Speaker make detailed rules of procedure to supplement the provisions contained in these rules."

15. Rule 245.—In sub-rule (1) of rule 245, for the word "ten" the word "fifteen" shall be substituted.

16. Rule 260.—For rule 260, the following rule shall be substituted, namely:—

"260. Subject to the provisions of these rules, a Committee on Subordinate Legislation may be constituted to scrutinize and report to the House whether the powers to make regulations, rules, sub-rules, bye-laws etc. conferred by the Constitution or delegated by Parliament have been properly exercised within such delegation."

Committee on Subordinate Legislation and its functions.

17. Rule 267.—For rule 267, the following rule shall be substituted, namely:—

"267. Each regulation, rule, sub-rule, bye-law etc. framed in pursuance of the provisions of the Constitution or the legislative functions delegated by Parliament to a subordinate authority, and which is required to be laid before the House, hereinafter referred to as "order", shall, subject to such rules as the Speaker may in consultation with the Leader of the House prescribe, be numbered centrally and published in the Gazette immediately after it is promulgated."

Numbering and publication of regulation, rule, sub-rule etc.

18. Rule 268.—In rule 268—

(i) for clause (i) the following clause shall be substituted, namely:—

"(i) whether it is in accord with the general objects of the Constitution or the Act pursuant to which it is made;" ;

(ii) for clause (v) the following clause shall be substituted, namely:—

“(v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;” and

(iii) for clause (vii) the following clause shall be substituted, namely:—

“(vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made.”

19. *Rule 293.*—In rule 293, the words “to the Speaker” shall be omitted.

20. *Rule 295.*—(i) After sub-rule (1) of rule 295, the following sub-rule shall be inserted, namely:—

“(2) If at any time fixed for any sitting of the Committee, or if at any time during any such sitting, there is no quorum the Chairman of the Committee shall either suspend the sitting until there is quorum or adjourn the sitting to some future day.”

(ii) Sub-rule (2) of rule 295 shall be omitted.

21. *Rule 295A.*—After rule 295, the following rule shall be inserted, namely:—

“Voting in Committee. 295A. (1) All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.”

22. *Rules 295B to 295D.*—After new rule 295A, the following rules shall be inserted, namely:—

“Sittings of Committee. 295B. The sittings of the Committee shall be held on such days and at such hour as the Chairman of the Committee may fix.

Laying of Report on the Table. 295C. (1) The recommendations of the Committee shall be laid on the Table and within a period of seven days beginning with the day on which they are so laid, any member may give notice of any amendment to such recommendations.

(2) Any notice given by a member of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee

may consider fit. The final report of the Committee after taking into consideration the amendments suggested by the members shall be laid on the Table. Thereafter on the House agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the House, shall be promulgated by the Speaker in the Bulletin.

(3) If notice of such amendment has not been given within seven days, the recommendations of the Committee shall be deemed to have been approved by the House and on the expiry of the said period the Speaker shall promulgate in the Bulletin the amendments to the rules as recommended by the Committee.

(4) The amendments to the rules shall come into force on their publication in the Bulletin unless otherwise specified.

295D. In other respects, the rules applicable to a Parliamentary Committee as provided in Chapter XXIX of these rules shall apply.”

Provisions applicable in other respects.

23. Rule 306A.—After rule 306, the following rule shall be inserted, namely:—

“306A. A motion, resolution or an amendment, which has been moved and is pending in the House, shall not lapse by reason only of the prorogation of the session.”

Motion, resolution or amendment already moved not to lapse on prorogation.

By order of the Speaker,

M. N. KAUL,

Secretary.

